



As Defendant notes, Plaintiff's subpoena request is premature, particularly considering the fact that Plaintiff's subpoena request is identical to the relief she seeks in her Complaint. Pursuant to Fed. R. Civ. P. 26(d)(1),

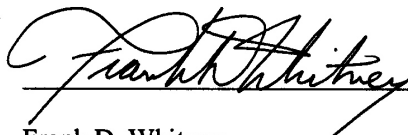
A party may not seek discovery from any source before the parties have conferred as required by Rule 26(f), except in a proceeding exempted from initial disclosure under Rule 26(a)(1)(B), or when authorized by these rules, by stipulation, or by court order.

Here, the parties have not engaged in a Rule 26(f) conference to date and the action is not one exempted from initial disclosures, as listed in Rule 26(a)(1)(B). The Court will not compel discovery until such time as the parties have conducted a Rule 26(f) conference.

IT IS THEREFORE ORDERED that Defendant's Motion to Strike is GRANTED. Plaintiff's Motion for Subpoenas shall be stricken. The Court will not entertain a motion for subpoena until discovery has commenced.

IT IS SO ORDERED.

Signed: March 1, 2011

  
Frank D. Whitney  
United States District Judge

